

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
FEBRUARY 20, 2007
MINUTES**

ROLL CALL	A.	The regular meeting of the Common Council held on February 20, 2007 and was called to order at 6:31 p.m. by Mayor Taylor in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Mayor Taylor, Aldermen Olson, Solomon, Hammelman, Kosovich, Sohns and Skowronski. Also present were City Engineer Bennett, Dir. of Administration Luberda, and Deputy City Clerk Vanden Boom.
CITIZEN COMMENT	B-1.	Citizen comment period was opened at 6:32 p.m. and closed at 6:37 p.m.
ANNOUNCEMENTS	B-2a.	Mayor Taylor presented a Proclamation to 2008 Franklin Junior Miss Jordan Kirkegaard.
	B-2b.	Mayor Taylor read a Proclamation congratulating the 2006 Franklin High School Pom Squad.
	B-2c.	Mayor Taylor acknowledged a letter from the National Arbor Day Foundation naming Franklin a 2006 Tree City USA.
	B-2d.	Mayor Taylor acknowledged a letter from Keep Greater Milwaukee Beautiful regarding Community Clean-Up Day on April 21, 2007.
	B-2e.	Mayor Taylor acknowledged a letter from Franklin Public Schools regarding information for their April 3, 2007 referendum.
MINUTES- 2/06/07	C-1.	Alderman Sohns moved to correct Item F-6 of the 2/06/07 Common Council minutes to include clarification that staff can proceed with the Urban Non-Point Source Grant application. Seconded by Alderman Solomon. All voted Aye; motion carried. Alderman Olson moved to approve minutes of the regular meeting of February 6, 2007 as corrected. Seconded by Alderman Sohns. All voted Aye; motion carried.
CONSENT AGENDA RES. 2007-6236 EASEMENT- WOODLAND TRAILS RES. 2007-6237 EASEMENT-HAUL ROAD-WHEATON FRANCISCAN HEALTHCARE	F-1a.	Alderman Sohns moved to approve the following items on the consent agenda excluding Items F-1g. & F-1i: Adopt Resolution No. 2007-6236, A RESOLUTION FOR ACCEPTANCE OF EASEMENT FOR WOODLAND TRAILS DEVELOPMENT STORM DRAINAGE AT APPROXIMATELY 9300 W. COBBLESTONE WAY;
	F-1b.	Adopt Resolution No. 2007-6237, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A TEMPORARY EASEMENT FOR A HAUL ROAD THROUGH THE WHEATON FRANCISCAN HEALTHCARE-SOUTHEAST WISCONSIN, INC. SITE TO PROVIDE FOR THE RECONSTRUCTION OF W. OAKWOOD ROAD FROM S. 27TH STREET TO A POINT APPROXIMATELY ½ MILE TO THE WEST;

RES. 2007-6238 EASEMENTS– MLG COMMERCIAL	F-1c.	Adopt Resolution No. 2007-6238, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A TEMPORARY LIMITED EASEMENT FOR SLOPING, A TEMPORARY LIMITED EASEMENT FOR STOCKPILE OF SOIL AND A TEMPORARY CONSTRUCTION EASEMENT FOR HAULING OF SOIL ON THE MLG LANDS LOCATED NORTH OF W. WHEATON WAY (VICINITY OF S. 27TH STREET AND W. OAKWOOD ROAD);
ORD. 2007-1909 STOP SIGNS- S. 85 TH STREET	F-1d.	Adopt Ordinance No. 2007-1909, AN ORDINANCE TO ESTABLISH PLACING STOP SIGNS ON S 85TH STREET NORTHBOUND AT W. WOODFIELD DRIVE AND ON LEGEND CREEK COURT SOUTHBOUND AT WOODFIELD COURT;
INSPECTION SERVICES 2007 DEL SIEVERT TRUCKING INC.	F-1e.	Authorize certain officials to authorize agreement extension for street and utility construction inspection services for the year 2007;
	F-1f.	Direct staff to release Letter of Credit No. 10326 from Lincoln State Bank for the Del Sievert Trucking reclamation plan (Del Sievert, applicant) (approximately 8900 West St. Martins Road);
FIRE DEPT. REPORT DONATION- ARBOR DAY	F-1h.	No action taken on the City of Franklin Fire Department, monthly report for January, 2007;
	F-1j.	Accept the \$200 donation from St. Theresa of the Child Jesus Vietnamese Catholic, a Vietnamese Lunar New Year cultural group for the City. The Mayor indicated it will be used during Arbor Day for the planting of trees; Approval of the above consent agenda items was seconded by Alderman Olson. All voted Aye; motion carried.
FIRE PREVENTION, PROTECTION AND CONTROL CODE- PUBLICATION REFERENCE UPDATES	F-1g.	Alderman Skowronski moved to table an ordinance to the 3/06/07 Common Council meeting to amend the fire prevention, protection, and control code of the Municipal Code as it pertains to additional National Fire Prevention Association publication reference updates. Seconded by Alderman Sohns. On roll call, Aldermen Olson, Hammelman, Kosovich, Sohns and Skowronski voting Aye; Alderman Solomon voting No, motion carried.
FLOOD INSURANCE RATE MAP	F-1i.	Alderman Solomon moved to direct staff to work with the Wisconsin Department of Natural Resources Floodplain Management Program to correct the Flood Insurance Rate Map to eliminate the encroachment on the parcels that are not within the special flood hazard area, with approval of any necessary expenses, and further that the City Engineer report back to the Common Council. Seconded by Alderman Sohns. All voted Aye; motion carried.
FRANKLIN CULTURAL CENTER	F-2.	Alderman Olson moved that the Common Council endorse the construction and operation of a cultural arts center in the City of Franklin and recommend at this time, that the organizers move forward without the attached community center until such time as the City studies and decides on use and location for such a civic center. Seconded by Alderman Sohns. All voted Aye; motion carried.

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| ROOT-PIKE
WATERSHED
INITIATIVE
NETWORK GRANT
APPLICATIONS | F-3. | Alderman Sohns moved that the City endorse filing grant applications for the Root-Pike Watershed Initiative Network, with the acceptance of said grants by the Parks Commission and the Common Council as appropriate. Seconded by Alderman Skowronski. All voted Aye; motion carried. |
| DESIGN STUDY
COMMITTEE –
SEWER & WATER
BUILDING | F-4. | Alderman Sohns moved to authorize certain officials to form a design study committee and advertise for needs analysis and preliminary design of sewer and water utility building to include Alderman Skowronski, Craig Haskins as the citizen member, the City Engineer, Assistant City Engineer, Sewer & Water Superintendent and Operator, as recommended by the City Engineer. Seconded by Alderman Solomon. All voted Aye; motion carried. |
| CONSTRUCTION
RIGHT-OF-ENTRY-
W. OAKWOOD
ROAD
RECONSTRUCTION | F-5. | Alderman Olson moved to direct Mayor Taylor to sign the Construction Right-of-Entry Permit from Milwaukee County relative to the reconstruction of W. Oakwood Road from S. 27th Street to approximately ½ mile to the west. Seconded by Alderman Hammelman. All voted Aye; motion carried. |
| MMSD POLICY
CHANGE | F-6. | Alderman Sohns moved that the City object in writing to the Milwaukee Metropolitan Sewerage District proposed policy change relative to property outside the MMSD taxing area, and further that the City Attorney review the City's rights and also landowners' rights, with an additional amount to his budget of \$5,000 and an ability to request additional funding if needed. Seconded by Alderman Skowronski. All voted Aye; motion carried. |
| 2007 LOCAL ROAD
PROGRAM | F-7. | Alderman Sohns moved to direct staff to proceed with the 2007 Local Road Program as recommended by the Board of Public Works. Seconded by Alderman Kosovich. All voted Aye; motion carried. |
| REALLOCATION-
INTERFUND
ADVANCE
BALANCES-TIF
DISTRICT #3 AND
TIF DISTRICT #4 | F-8. | <p>Alderman Solomon moved to approve increasing the TIF District #3 interfund advance by \$3,000,000 on 2/28/07, at the same time reducing the interfund advance from TIF District #4 by \$1,500,000 and transferring \$1,500,000 to TIF District #3 from the Capital Improvement Fund. Seconded by Alderman Sohns. All voted Aye; motion carried.</p> <p>Alderman Solomon moved to advance the cash grant under a development agreement from an April 1, 2007 payment date to a February 28, 2007 payment date. Seconded by Alderman Sohns. All voted Aye; motion carried.</p> <p>Alderman Solomon moved to establish a standby line of credit from City funds for the amount reallocated from TIF District #4 of \$1,500,000 and the Capital Improvement Fund of \$1,500,000. Seconded by Alderman Hammelman. All voted Aye; motion carried.</p> |

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| SEX OFFENDERS | F-9. | Alderman Olson moved to have City of Franklin file an open records request with the State of Wisconsin relative to the cost, implementation, bidding for and operation of a GPS tracking system for sex offenders. Seconded by Alderman Skowronski. All voted Aye; motion carried. |
| SPORTS &
ENTERTAINMENT
COMMITTEE | F-10. | Alderman Sohns moved to direct the City Attorney to prepare necessary resolution/ordinance establishing a Sports and Entertainment Committee to conduct City events not in conflict with the Civic Celebrations Commission with duties and organization as directed by the Common Council and invite Civic Celebrations Committee to be in attendance when brought up at Council meeting and also that Brad Anderson be invited. Seconded by Alderman Solomon. All voted Aye; motion carried. |
| NON-REP.
PAY PLAN | F-11. | Alderman Olson moved to table overview of the non-represented pay plan project and the Department of Administration work plan. Seconded by Alderman Hammelman. All voted Aye; motion carried. |
| OPERATOR'S
LICENSE-AMBER
E. HELM | F-12. | Alderman Hammelman moved to find the Complaint to be true and suspending the Operators license of Amber E. Helm for a period of sixty days beginning 2/21/07. Seconded by Alderman Solomon. All voted Aye; motion carried. |
| CLAIM OF NANA &
TOM AREZINA-
PLAZA MOTEL | F-13. | Alderman Solomon moved to deny the claim of Nana and Tom Arezina, owners of the Plaza Motel, for reimbursement of property damage costs incurred due to alleged forced entry to motel room by the Franklin Police Department, pursuant to Wisconsin Statute 893.80 (1g), as recommended for denial by Midwest Claims Service. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried. |
| ACQUISITION-
PROPERTY-80 TH &
HILLTOP LN. &
9221 S. 76 TH ST. | F-14. | Alderman Solomon moved to have City Attorney obtain appraisals for acquisition of property at for park purposes approximately S. 80th Street and Hilltop Lane, Tax Key No. 885-9996-000 and 9221 S. 76th Street, Tax Key No. 885-9995-002 and have necessary documents back to Parks Commission for further consideration. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| CLOSED SESSION-
ACQUISITION OF
PROPERTY-
SERENITY
ESTATES
SUBDIVISION | F-15. | Alderman Sohns moved to enter closed session at 9:12 p.m. pursuant to Section 19.85(1)(e), Wis. Stats., to consider an offer to sell property to the City intended to be used for public park purposes in the Serenity Estates Subdivision area and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Olson. On roll call, all voted Aye. Motion carried. |

Upon reentering open session at 9:21 p.m., Alderman Sohns moved to authorize the City Attorney to extend offers to the owners of the two outlots to be used for public park purposes in the Serenity Estates Subdivision area as discussed in closed session (Oak Crest Properties,

SERENITY-
CONTINUED

LLC, \$52,000 plus transfer costs and attorney's fees not to exceed \$4,000 and Creative Homes, Inc., \$25,000 plus transfer costs.) Seconded by Alderman Hammelman. On roll call, Aldermen Solomon, Hammelman, Kosovich and Sohns voted Aye; Aldermen Olson and Skowronski voted No. Motion carried.

LICENSES

H-1. Alderman Hammelman moved to grant the following licenses subject to meeting all licensing requirements:

Operator License to Rose Ann Wright, 209 E Market St. #116, Burlington; Jason L. Fenton, 3623 W. College Avenue #9, Milwaukee; Eric J. Kleczka, 6860 S. Highland Drive, Oak Creek; Nicholas P. Kulinski, 525 E. Laverne Drive, Oak Creek; Barbara M. Meyer, 5116 Norman Street, Racine; Robert P. Sczerzen, 4018 S. 73rd Street, Milwaukee; Ian A. Stawicki, 10460 S. 13th Street, Oak Creek and Kristina K. Turner, 834 E. Overlook Way, Oak Creek.

and also moved to hold Operator License for Kate C. Peters, 2239 S. Aldrich Street, Milwaukee subject to drivers license approval;

No action was needed on the Class A Combination License for Discount Cigarettes & Liquor, Agent: Scott Haese, 6507A S. 27th Street, however a letter to be sent by the City Clerk advising the license that a verbal warning was given by the License Committee relative to violations of alcohol and tobacco sales to minors, and any further violations may result in a hearing for a suspension of their licenses. Seconded by Alderman Kosovich. All voted Aye; motion carried.

BILLS

I-1. Alderman Olson moved to approve net City vouchers in the range of Nos. 119519 through 119679 in the amount of \$1,265,811.27. Seconded by Alderman Solomon. On roll call, all voted Aye. Motion carried.

PAYROLL

Alderman Hammelman moved to approve net payroll of February 16, 2007 in the amount of \$306,806.65. Seconded by Alderman Kosovich. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Olson moved to adjourn the meeting at 9:28 p.m. Seconded by Alderman Hammelman. All voted Aye; motion carried.